

105TH CONGRESS  
1ST SESSION

# S. 1325

To authorize appropriations for the Technology Administration of the Department of Commerce for fiscal years 1998 and 1999, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 28, 1997

Mr. FRIST (for himself, Mr. ROCKEFELLER, Mr. BURNS, and Mr. HOLLINGS) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To authorize appropriations for the Technology Administration of the Department of Commerce for fiscal years 1998 and 1999, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Technology Adminis-  
5       tration Authorization Act for Fiscal Years 1998 and  
6       1999”.

7       **SEC. 2. DEFINITIONS.**

8       In this Act:

1           (1) DIRECTOR.—The term “Director” means  
2           the Director of the National Institute of Standards  
3           and Technology.

4           (2) MAJOR REORGANIZATION.—With respect to  
5           the National Institute of Standards and Technology,  
6           the term “major reorganization” means any reorga-  
7           nization of the Institute that involves the reassign-  
8           ment of more than 25 percent of the employees of  
9           the National Institute of Standards and Technology.

10          (3) SECRETARY.—The term “Secretary” means  
11          the Secretary of Commerce.

12 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS FOR SCI-**  
13 **ENTIFIC AND TECHNICAL RESEARCH AND**  
14 **SERVICES.**

15          (a) LABORATORY ACTIVITIES.—There are authorized  
16 to be appropriated to the Department of Commerce for  
17 use by the Secretary of Commerce for the Scientific and  
18 Technical Research and Services laboratory activities of  
19 the National Institute of Standards and Technology—

20           (1) \$278,352,000 for fiscal year 1998; and

21           (2) \$287,658,000 for fiscal year 1999.

22          (b) CONSTRUCTION AND MAINTENANCE.—

23           (1) IN GENERAL.—There are authorized to be  
24           appropriated to the Department of Commerce for  
25           use by the Secretary of Commerce for construction

1 and maintenance of facilities of the National Insti-  
2 tute of Standards and Technology—

3 (A) \$16,692,000 for fiscal year 1998; and

4 (B) \$67,000,000 for fiscal year 1999.

5 (2) PROHIBITION.—None of the funds author-  
6 ized by paragraph (1)(B) for construction of facili-  
7 ties may be obligated unless the Secretary of Com-  
8 merce has certified to the Committee on Commerce,  
9 Science, and Transportation of the Senate and the  
10 Committee on Science of the House of Representa-  
11 tives that the obligation of funds is consistent with  
12 a plan for meeting the needs of the facilities of the  
13 National Institute of Standards and Technology that  
14 the Secretary has transmitted to those committees.

15 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS FOR THE OF-**  
16 **FICE OF THE UNDER SECRETARY FOR TECH-**  
17 **NOLOGY.**

18 There are authorized to be appropriated to the De-  
19 partment of Commerce for use by the Secretary of Com-  
20 merce for the activities of the Under Secretary for Tech-  
21 nology, the Office of Technology Policy, and the Office of  
22 Air and Space Commercialization (as established under  
23 section 15 of this Act)—

24 (1) \$9,230,000 for fiscal year 1998; and

25 (2) \$10,807,400 for fiscal year 1999.

1 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS FOR INDUS-**  
2 **TRIAL TECHNOLOGY SERVICES.**

3 There are authorized to be appropriated to the De-  
4 partment of Commerce for use by the Secretary of Com-  
5 merce for the industrial technology services activities of  
6 the National Institute of Standards and Technology—

7 (1) \$309,040,000 for fiscal year 1998, of  
8 which—

9 (A) \$198,000,000 shall be for the Ad-  
10 vanced Technology Program under section 28  
11 of the National Institute of Standards and  
12 Technology Act (15 U.S.C. 278n); and

13 (B) \$111,040,000 shall be for the manu-  
14 facturing extension partnerships program under  
15 sections 25 and 26 of the National Institute of  
16 Standards and Technology Act (15 U.S.C. 278k  
17 and 278l); and

18 (2) \$318,371,000 for fiscal year 1999, of  
19 which—

20 (A) \$204,000,000 shall be for the Ad-  
21 vanced Technology Program under section 28  
22 of the National Institute of Standards and  
23 Technology Act (15 U.S.C. 278n); and

24 (B) \$114,371,000 shall be for the manu-  
25 facturing extension partnerships program under  
26 sections 5 and 26 of the National Institute of

1 Standards and Technology Act (15 U.S.C. 278k  
2 and 278l).

3 **SEC. 6. NATIONAL INSTITUTE OF STANDARDS AND TECH-**  
4 **NOLOGY ACT AMENDMENTS.**

5 (a) AMENDMENTS.—Section 28 of the National Insti-  
6 tute of Standards and Technology Act (15 U.S.C. 278n)  
7 is amended—

8 (1) in subsection (d)—

9 (A) in paragraph (1)—

10 (i) by inserting “(A)” after “(1)”;

11 (ii) by inserting “and be of a nature  
12 and scope that would not be pursued in a  
13 timely manner without Federal assistance”  
14 after “technical merit”; and

15 (iii) by adding at the end the follow-  
16 ing:

17 “(B) Each applicant for a contract or award  
18 under the Program shall certify that the applicant  
19 has made an effort to secure private market funding  
20 for the research project involved. That certification  
21 shall include a written narrative description of the  
22 efforts made by the applicant to secure that fund-  
23 ing.”; and

24 (B) by adding at the end the following:

1 “(12) A large business may participate in a re-  
 2 search project that is the subject of a contract or  
 3 award under paragraph (3) only as a member of a  
 4 joint venture that includes 1 or more small busi-  
 5 nesses as members.”;

6 (2) in subsection (j)—

7 (A) by striking “and” at the end of para-  
 8 graph (1);

9 (B) by redesignating paragraph (2) as  
 10 paragraph (5); and

11 (C) by inserting after paragraph (1) the  
 12 following:

13 “(2) the term ‘large business’ means a business  
 14 that—

15 “(A) is not a small business; and

16 “(B) has gross annual revenues in an  
 17 amount greater than \$2,500,000,000;

18 “(3) the term ‘medium business’ means a busi-  
 19 ness that—

20 “(A) is not a small business; and

21 “(B) has gross annual revenues in an  
 22 amount less than or equal to \$2,500,000,000;

23 “(4) the term ‘small business’ means a small  
 24 business concern, as described in section 3(a)(1) of  
 25 the Small Business Act (15 U.S.C. 632(a)(1)); and”;

1           (3) by redesignating subsection (j) as sub-  
2       section (m); and

3           (4) by inserting after subsection (i) the follow-  
4       ing:

5       “(j) Notwithstanding subsection (b)(1)(B) and sub-  
6       section (d)(3), the Director may grant an extension be-  
7       yond the applicable deadline specified in subsection  
8       (b)(1)(B) or (d)(3) for a joint venture or single applicant  
9       recipient of assistance to expend Federal funds to com-  
10      plete the project assisted with that assistance, if that ex-  
11      tension—

12           “(1) is granted with no additional cost to the  
13      Federal Government; and

14           “(2) is in the interest of the Federal Govern-  
15      ment.

16       “(k)(1) The Secretary, acting through the Director,  
17      may vest title to tangible personal property in any recipi-  
18      ent of financial assistance under this section if—

19           “(A) the property is purchased with funds pro-  
20      vided under this section; and

21           “(B) the Secretary, acting through the Direc-  
22      tor, determines that the vesting of such property  
23      furtheres the objectives of the Institute.

24       “(2) Vesting under this subsection shall—

1           “(A) be subject to such limitations as are pre-  
 2       scribed by the Secretary, acting through the Direc-  
 3       tor; and

4           “(B) be made without further obligation to the  
 5       United States Government.

6       “(l) In carrying out this section, the Secretary, acting  
 7       through the Director, shall ensure that the requirements  
 8       of Circular No. A-110 issued by the Office of Manage-  
 9       ment and Budget are met with respect to the valuation  
 10      of cost-share items used by participants in the Program.”.

11       (b) ADDITIONAL AMENDMENT.—

12           (1) IN GENERAL.—Section 28(d)(11)(A) of the  
 13       National Institute of Standards and Technology Act  
 14       (15 U.S.C. 278n(d)(11)(A)) is amended by striking  
 15       the period at the end of the first sentence and in-  
 16       serting the following: “or any other university or  
 17       nonprofit awardee or subawardee (as those terms  
 18       are defined by the Secretary) receiving financial as-  
 19       sistance under this section, as agreed by the parties,  
 20       notwithstanding the requirements of chapter 18 of  
 21       title 35, United States Code.”.

22           (2) APPLICABILITY.—The amendment made by  
 23       this subsection shall apply only with respect to as-  
 24       sistance for which solicitations for proposals are  
 25       made after the date of enactment of this Act.



1 **SEC. 7. MANUFACTURING EXTENSION PARTNERSHIP PRO-**  
 2 **GRAM CENTER EXTENSION.**

3 Section 25(c)(5) of the National Institute of Stand-  
 4 ards and Technology Act (15 U.S.C. 278k(c)(5)) is  
 5 amended by striking “, which are designed” and all that  
 6 follows through “operation of a Center.” and inserting “.  
 7 After the sixth year, a Center may receive additional fi-  
 8 nancial support under this section if that Center has re-  
 9 ceived a positive evaluation through a review, under proce-  
 10 dures and criteria established by the Institute. The review  
 11 referred to in the preceding sentence shall be required not  
 12 later than 2 years after the sixth year, and not less fre-  
 13 quently than every 2 years thereafter. The funding re-  
 14 ceived by a Center for a fiscal year under this section after  
 15 the sixth year of operation shall be for capital and annual  
 16 operating expenses and maintenance costs. The proportion  
 17 of funding that the Center receives after the sixth year  
 18 of operation from funds made available to carry out this  
 19 section for the costs referred to in the preceding sentence  
 20 shall not exceed the proportion of that funding received  
 21 by the Center for each of those costs during the sixth year  
 22 of operation of the Center.”.

23 **SEC. 8. MALCOLM BALDRIGE NATIONAL QUALITY AWARD.**

24 Section 17(c)(1) of the Stevenson-Wydler Technology  
 25 Innovation Act of 1980 (15 U.S.C. 3711a(c)(1)) is amend-  
 26 ed by adding at the end the following:

1 “(D) Health care providers.

2 “(E) Education providers.”.

3 **SEC. 9. NEXT GENERATION INTERNET.**

4 (a) IN GENERAL.—Except as provided in subsection  
5 (b), none of the funds authorized by this Act, or any other  
6 Act enacted before the date of enactment of this Act, may  
7 be used for the programs and activities for the Internet  
8 project known as the “Next Generation Internet”.

9 (b) EXCEPTION.—Notwithstanding subsection (a),  
10 funds described in that subsection may be used for the  
11 continuation of programs and activities related to Next  
12 Generation Internet that were funded and carried out dur-  
13 ing fiscal year 1997.

14 **SEC. 10. NOTICE.**

15 (a) NOTICE OF REPROGRAMMING.—If any funds ap-  
16 propriated pursuant to the amendments made by this Act  
17 are subject to a reprogramming action that requires notice  
18 to be provided to the Committees on Appropriations of the  
19 Senate and the House of Representatives, notice of that  
20 action shall concurrently be provided to the Committee on  
21 Commerce, Science, and Transportation of the Senate and  
22 the Committee on Science of the House of Representa-  
23 tives.

24 (b) NOTICE OF REORGANIZATION.—Not later than  
25 15 days before any major reorganization of any program,

1 project, or activity of the National Institute of Standards  
2 and Technology, the Director shall provide notice to the  
3 Committees on Commerce, Science, and Transportation  
4 and Appropriations of the Senate and the Committees on  
5 Science and Appropriations of the House of Representa-  
6 tives.

7 **SEC. 11. SENSE OF CONGRESS ON THE YEAR 2000 PROBLEM.**

8 With the year 2000 rapidly approaching, it is the  
9 sense of Congress that the Director should—

10 (1) give high priority to correcting all 2-digit  
11 date-related problems in the computer systems of  
12 the National Institute of Standards and Technology  
13 to ensure that those systems continue to operate ef-  
14 fectively in the year 2000 and in subsequent years;

15 (2) as soon as practicable after the date of en-  
16 actment of this Act, assess the extent of the risk to  
17 the operations of the National Institute of Standards  
18 and Technology posed by the problems referred to in  
19 paragraph (1), and plan and budget for achieving  
20 compliance for all of the mission-critical systems of  
21 the system by the year 2000; and

22 (3) develop contingency plans for those systems  
23 that the National Institute of Standards and Tech-  
24 nology is unable to correct by the year 2000.

1 **SEC. 12. ENHANCEMENT OF SCIENCE AND MATHEMATICS**  
2 **PROGRAMS.**

3 (a) DEFINITIONS.—In this section—

4 (1) EDUCATIONALLY USEFUL FEDERAL EQUIP-  
5 MENT.—The term “educationally useful Federal  
6 equipment” means computers and related peripheral  
7 tools and research equipment that is appropriate for  
8 use in schools.

9 (2) SCHOOL.—The term “school” means a pub-  
10 lic or private educational institution that serves any  
11 of the grades of kindergarten through grade 12.

12 (b) SENSE OF CONGRESS.—

13 (1) IN GENERAL.—It is the sense of Congress  
14 that the Director should, to the greatest extent prac-  
15 ticable and in a manner consistent with applicable  
16 Federal law (including Executive Order No. 12999),  
17 donate educationally useful Federal equipment to  
18 schools in order to enhance the science and mathe-  
19 matics programs of those schools.

20 (2) REPORTS.—

21 (A) IN GENERAL.—Not later than 1 year  
22 after the date of enactment of this Act, and an-  
23 nually thereafter, the Director shall prepare  
24 and submit to the President a report. The  
25 President shall submit the report to Congress  
26 at the same time as the President submits a

1 budget request to Congress under section  
2 1105(a) of title 31, United States Code.

3 (B) CONTENTS OF REPORT.—The report  
4 prepared by the Director under this paragraph  
5 shall describe any donations of educationally  
6 useful Federal equipment to schools made dur-  
7 ing the period covered by the report.

8 **SEC. 13. TEACHER SCIENCE AND TECHNOLOGY ENHANCE-**  
9 **MENT INSTITUTE PROGRAM.**

10 (a) IN GENERAL.—The National Institute of Stand-  
11 ards and Technology Act (15 U.S.C. 271 et seq.) is  
12 amended by inserting after section 19 the following:

13 “SEC. 19A. (a) The Director shall establish within  
14 the Institute a teacher science and technology enhance-  
15 ment program.

16 “(b) The purpose of the program under this section  
17 shall be to provide for professional development of mathe-  
18 matics and science teachers of elementary, middle, and  
19 secondary schools (as those terms are defined by the Di-  
20 rector), including providing for the improvement of those  
21 teachers with respect to the teaching of science—

22 “(1) teaching strategies;

23 “(2) self-confidence; and

24 “(3) the understanding of science and the im-  
25 pacts of science on commerce.

1       “(c) In carrying out the program under this section,  
2 the Director shall focus on the areas of—

3               “(1) scientific measurements;

4               “(2) tests and standards development;

5               “(3) industrial competitiveness and quality;

6               “(4) manufacturing;

7               “(5) technology transfer; and

8               “(6) any other area of expertise of the Institute  
9 that the Director determines to be appropriate.

10       “(d) The Director shall develop and issue procedures  
11 and selection criteria for participants in the program.  
12 Each such participant shall be a teacher described in sub-  
13 section (b).

14       “(e) The Director shall issue awards under the pro-  
15 gram to participants. In issuing the awards, the Director  
16 shall ensure that the maximum number of participants  
17 practicable participate in the program. In order to ensure  
18 a maximum level of participation of participants, the pro-  
19 gram under this section shall be conducted on an annual  
20 basis during the summer months, during the period of  
21 time when a majority of elementary, middle, and second-  
22 ary schools have not commenced a school year.

23       “(f) The program shall provide for teachers participa-  
24 tion in activities at the Institute laboratory facilities of the  
25 Institute.”.

1 (b) AVAILABILITY OF FUNDS.—The following  
 2 amounts of the funds made available by appropriations  
 3 pursuant to section 3(a) shall be used to carry out the  
 4 teacher science and technology enhancement program  
 5 under section 19A of the National Institute of Standards  
 6 and Technology, as added by subsection (a) of this section:

7 (1) \$1,500,000 for fiscal year 1998.

8 (2) \$2,500,000 for fiscal year 1999.

9 **SEC. 14. JOINT STUDY BY THE NATIONAL ACADEMY OF**  
 10 **SCIENCE AND THE NATIONAL ACADEMY OF**  
 11 **ENGINEERING.**

12 (a) IN GENERAL.—

13 (1) CONTRACT.—Not later than 90 days after  
 14 the date of enactment of this Act, the Secretary of  
 15 Commerce shall enter into a contract with the Na-  
 16 tional Academy of Science and the National Acad-  
 17 emy of Engineering to provide for a joint study to  
 18 be conducted by those academies under this section.

19 (2) RULE OF CONSTRUCTION.—Nothing in this  
 20 subsection shall be construed to apply the Federal  
 21 Advisory Committee Act (5 U.S.C. App.) to the Na-  
 22 tional Academy of Science or the National Academy  
 23 of Engineering.

24 (b) STUDY PANEL.—In carrying out the study under  
 25 this section, the appropriate officials of the National Acad-

1 emy of Science and the National Academy of Engineering  
2 shall establish a study panel. The members appointed to  
3 the study panel shall include—

4 (1) industry and labor leaders;

5 (2) entrepreneurs;

6 (3) individuals who—

7 (A) have previously served as government  
8 officials; and

9 (B) have recognized expertise and experi-  
10 ence with respect to civilian research and tech-  
11 nology; and

12 (4) individuals with recognized expertise and  
13 experience with respect to science and technology,  
14 including individuals who have had experience work-  
15 ing with or for a Federal laboratory.

16 (c) CONTENTS OF STUDY.—The study conducted  
17 under this section shall—

18 (1) provide for a thorough review of the effec-  
19 tiveness of the Advanced Technology Program (re-  
20 ferred to in this section as the “Program”) under  
21 section 28 of the National Institute of Standards  
22 and Technology Act (15 U.S.C. 278n);

23 (2) carry out a root cause analysis to deter-  
24 mine—



1 (A) which aspects of the Program have  
2 been effective in stimulating the development of  
3 technology; and

4 (B) strategies used to conduct the Pro-  
5 gram that have failed; and

6 (3) examine alternative approaches to accom-  
7 plish the purposes of the Program.

8 (d) REPORT.—Not later than 1 year after the Sec-  
9 retary of Commerce enters into contracts under subsection  
10 (a) for the conduct of the joint study under this section,  
11 the study panel established under subsection (b) shall pre-  
12 pare, and submit to the Secretary of Commerce, for trans-  
13 mittal to the President and Congress, a study that in-  
14 cludes the findings of the panel with respect to the results  
15 of the study.

16 **SEC. 15. OFFICE OF AIR AND SPACE COMMERCIALIZATION.**

17 (a) ESTABLISHMENT.—There is established within  
18 the Department of Commerce an Office of Air and Space  
19 Commercialization (referred to in this section as the “Of-  
20 fice”).

21 (b) DIRECTOR.—The Office shall be headed by a Di-  
22 rector, who shall be a senior executive and shall be com-  
23 pensated at a level in the Senior Executive Service under  
24 section 5382 of title 5, United States Code, as determined  
25 by the Secretary of Commerce.

1       (c) FUNCTIONS OF THE OFFICE; DUTIES OF THE DI-  
2 RECTOR.—The Office shall be the principal unit for the  
3 coordination of space-related issues, programs, and initia-  
4 tives within the Department of Commerce. The primary  
5 responsibilities of the Director, in carrying out the func-  
6 tions of the Office, shall include—

7           (1) promoting commercial provider investment  
8       in space activities by collecting, analyzing, and dis-  
9       seminating information on space markets, and con-  
10      ducting workshops and seminars to increase aware-  
11      ness of commercial space opportunities;

12          (2) assisting United States commercial provid-  
13      ers in the efforts of those providers to conduct busi-  
14      ness with the United States Government;

15          (3) acting as an industry advocate within the  
16      executive branch of the Federal Government to en-  
17      sure that the Federal Government meets the space-  
18      related requirements of the Federal Government, to  
19      the fullest extent feasible, with respect to commer-  
20      cially available space goods and services;

21          (4) ensuring that the United States Govern-  
22      ment does not compete with United States commer-  
23      cial providers in the provision of space hardware and  
24      services otherwise available from United States com-  
25      mercial providers;

1           (5) promoting the export of space-related goods  
2           and services;

3           (6) representing the Department of Commerce  
4           in the development of United States policies and in  
5           negotiations with foreign countries to ensure free  
6           and fair trade internationally in the area of space  
7           commerce; and

8           (7) seeking the removal of legal, policy, and in-  
9           stitutional impediments to space commerce.

10 **SEC. 16. EXPERIMENTAL PROGRAM TO STIMULATE COM-**  
11 **PETITIVE TECHNOLOGY.**

12           (a) IN GENERAL.—Section 5 of the Stevenson Wylder  
13 Technology Innovation Act of 1980 (15 U.S.C. 3704) is  
14 amended by adding at the end the following:

15           “(f) EXPERIMENTAL PROGRAM TO STIMULATE COM-  
16 PETITIVE TECHNOLOGY.—

17           “(1) IN GENERAL.—The Secretary, acting  
18 through the Under Secretary, shall establish a pro-  
19 gram to be known as the Experimental Program to  
20 Stimulate Competitive Technology (referred to in  
21 this subsection as the ‘program’). The purpose of  
22 the program shall be to strengthen the technological  
23 competitiveness of those States that have historically  
24 received less Federal research and development

1 funds than those received by a majority of the  
2 States.

3 “(2) ARRANGEMENTS.—In carrying out the  
4 program, the Secretary, acting through the Under  
5 Secretary, shall—

6 “(A) enter into such arrangements as may  
7 be necessary to provide for the coordination of  
8 the program through the State committees es-  
9 tablished under the Experimental Program to  
10 Stimulate Competitive Research of the National  
11 Science Foundation; and

12 “(B) cooperate with—

13 “(i) any State science and technology  
14 council established under the program  
15 under subparagraph (A); and

16 “(ii) representatives of small business  
17 firms and other appropriate technology-  
18 based businesses.

19 “(3) GRANTS.—In carrying out the program,  
20 the Secretary, acting through the Under Secretary,  
21 may make grants or enter into cooperative agree-  
22 ments to provide, for—

23 “(A) technology research and development;

24 “(B) technology transfer from university  
25 research;

1           “(C) technology deployment and diffusion;  
2           and

3           “(D) the strengthening of technological ca-  
4           pabilities through consortia comprised of—

5                 “(i) technology-based small business  
6                 firms;

7                 “(ii) industries and emerging compa-  
8                 nies;

9                 “(iii) universities; and

10                “(iv) State and local development  
11                agencies and entities.

12           “(4) REQUIREMENTS FOR MAKING AWARDS.—

13                 “(A) IN GENERAL.—In making grant  
14                 awards under this subsection, the Secretary,  
15                 acting through the Under Secretary, shall en-  
16                 sure that the awards are awarded on a competi-  
17                 tive basis that includes a review of the merits  
18                 of the activities that are the subject of the  
19                 award.

20                 “(B) MATCHING REQUIREMENT.—The  
21                 non-Federal share of the activities (other than  
22                 planning activities) carried out under a grant  
23                 under this subsection shall be not less than 25  
24                 percent of the cost of those activities.

1           “(5) CRITERIA FOR STATES.—With respect to  
2       States that participate in the program, the Sec-  
3       retary, acting through the Under Secretary, shall es-  
4       tablish criteria for achievement by each State that  
5       participates in the program. Upon the achievement  
6       of all such criteria, a State shall cease to be eligible  
7       to participate in the program.

8           “(6) COORDINATION.—To the extent prac-  
9       ticable, in carrying out this section, the Secretary,  
10      acting through the Under Secretary, shall coordinate  
11      the program with other programs of the Department  
12      of Commerce.

13          “(7) REPORT.—

14               “(A) IN GENERAL.—Not later than 90  
15      days after the date of enactment of the Tech-  
16      nology Administration Authorization Act for  
17      Fiscal Years 1998 and 1999, the Under Sec-  
18      retary shall prepare and submit a report that  
19      meets the requirements of this paragraph to the  
20      Secretary. Upon receipt of the report, the Sec-  
21      retary shall transmit a copy of the report to the  
22      Committee on Commerce, Science, and Trans-  
23      portation of the Senate and the Committee on  
24      Science of the House of Representatives.

1           “(B) REQUIREMENTS FOR REPORT.—The  
2           report prepared under this paragraph shall con-  
3           tain with respect to the program—

4                   “(i) a description of the structure and  
5                   procedures of the program;

6                   “(ii) a management plan for the pro-  
7                   gram;

8                   “(iii) a description of the merit-based  
9                   review process to be used in the program;

10                  “(iv) milestones for the evaluation of  
11                  activities to be assisted under the program  
12                  in each of fiscal years 1998 and 1999;

13                  “(v) an assessment of the eligibility of  
14                  each State that participates in the Experi-  
15                  mental Program to Stimulate Competitive  
16                  Research of the National Science Founda-  
17                  tion to participate in the program under  
18                  this subsection; and

19                  “(vi) the evaluation criteria with re-  
20                  spect to which the overall management and  
21                  effectiveness of the program will be evalu-  
22                  ated pursuant to paragraph (8).

23           “(8) EVALUATION.—Not earlier than the date  
24           that is 4 years after the date on which the program  
25           is established, the Secretary, acting through the

1 Under Secretary, shall carry out an evaluation of the  
2 program. In carrying out the evaluation the Sec-  
3 retary, acting through the Under Secretary, shall  
4 apply the criteria described in paragraph  
5 (7)(B)(vi).”.

6 (b) FUNDING.—Of the amounts made available by  
7 appropriations pursuant to section 4—

8 (1) for fiscal year 1998, \$1,650,000 shall be  
9 used to carry out the Experimental Program to  
10 Stimulate Competitive Technology established under  
11 section 5(f) of the Stevenson Wydler Technology In-  
12 novation Act of 1980, as added by subsection (a) of  
13 this section; and

14 (2) for fiscal year 1999, \$3,000,000 shall be  
15 used to carry out the program referred to in para-  
16 graph (1).

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